

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5499 OF 2005

Mr.Vikram R.Purohit and
Ors. ..Applicants
Vs.
Mr.Bhawarlal A.Purohit
& Anr. ..Respondents

...
Mrs.C.R.Raja Advocate for Applicants
Mr.S.R.Shinde, A.P.P. for the State
...

CORAM: SMT.V.K.TAHILRAMANI, J.
DATE : AUGUST 30, 2005

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants are seeking quashing of process issued by the learned Judicial Magistrate F.C. 10th Court, Thane in C.C.No.161 of 2000. In the said case process was issued against the applicants under Sections 420, 427, 448 and 453 of IPC.

3. For the reasons recorded in my order dated 13th June, 2005 in W.P.No. 213 of 2005 and dated 21st June, 2005 in Cri.Application No.550 of 2005, I am

of the opinion that the applicants have an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the applicants prefer a revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicants to prefer the necessary revision before the concerned Sessions Court. The learned advocate for the applicants makes a statement that the necessary revision will be preferred within four weeks from today. In view of this statement, the trial Court shall not proceed with the trial for a period of four weeks.

5. On the necessary revision being preferred by the applicants before the concerned Sessions Court, the concerned Sessions Court shall dispose of the matter on merits after hearing the necessary parties.

6. Criminal Application is disposed of.

[V.K.TAHILRAMANI, J.]